

1763  
RCE #

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**Request  
For  
Continued Examination (RCE)  
Transmittal**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<i>Image</i>	Application Number	09/888,017
	Filing Date	June 21, 2001
	First Named Inventor	Craig L. Stevens
	Art Unit	1763
	Examiner Name	Moore, Karla A
	Attorney Docket Number	10001.000500 (NVLS 387)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

**1. Submission required under 37 C.F.R. 1.114**

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
  - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - ii.  Other Response to Final Rejection filed on December 29, 2003.
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other Copy of Response to Final Rejection filed on Dec. 29, 2003; Fee Transmittal (in duplicate); Postcard.

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No.50-2427
  - i.  RCE fee required under 37 C.F.R. 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. 1.136 and 1.17)
  - iii.  Other credit any overpayments
- b.  Check in the amount of \$ 770.00 enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Patrick D. Benedicto	Registration No. (Attorney/Agent)	40,909
Signature	<i>Patrick D. Benedicto</i>	Date	January 30, 2004

**CERTIFICATE OF MAILING OR TRANSMISSION**

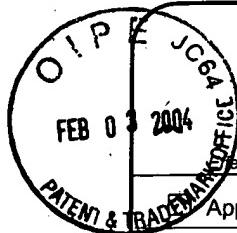
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print /Type)	Patrick D. Benedicto
Signature	<i>Patrick D. Benedicto</i>

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

02/04/2004 EFLORES 00000164 09888017 you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 770.00)

## Complete if Known

Application Number	09/888,017
Filing Date	June 21, 2001
First Named Inventor	Craig L. Stevens
Examiner Name	Moore, Karla A.
Art Unit	1763
Attorney Docket No.	10001.0000500 (NVLS 387)

## METHOD OF PAYMENT (check all that apply)

Check    Credit card    Money    Other    None  
Order

 Deposit Account:

Deposit Account Number 50-2427

Deposit Account Name OKAMOTO & BENEDICTO LLP

## The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	Fee Description
1051	130	2051	Surcharge - late filing fee or oath
1052	50	2052	Surcharge - late provisional filing fee or cover sheet.
1053	130	1053	Non-English specification
1812	2,520	1812	For filing a request for reexamination
1804	920*	1804	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	Requesting publication of SIR after Examiner action
1251	110	2251	Extension for reply within first month
1252	420	2252	Extension for reply within second month
1253	950	2253	Extension for reply within third month
1254	1,480	2254	Extension for reply within fourth month
1255	2,010	2255	Extension for reply within fifth month
1401	330	2401	Notice of Appeal
1402	330	2402	Filing a brief in support of an appeal
1403	290	2403	Request for oral hearing
1451	1,510	1451	Petition to institute a public use proceeding
1452	110	2452	Petition to revive – unavoidable
1453	1,330	2453	Petition to revive – unintentional
1501	1,330	2501	Utility issue fee (or reissue)
1502	480	2502	Design issue fee
1503	640	2503	Plant issue fee
1460	130	1460	Petitions to the Commissioner
1807	50	1807	Processing fee under 37 CFR 1.17 (q)
1806	180	1806	Submission of Information Disclosure Stmt
8021	40	8021	Recording each patent assignment per property (times number of properties)
1809	770	2809	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	770	2810	For each additional invention to be examined (37 CFR § 1.129(b))
1801	770	2801	Request for Continued Examination (RCE) 770
1802	900	1802	Request for expedited examination of a design application
Other fee (specify) _____			

\*\*or number previously paid, if greater; For Reissues, see above

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Patrick D. Benedicto	Registration No. (Attorney/Agent)	40,909	Telephone	(408) 436-2110
Signature	Patrick D. Benedicto		Date	January 30, 2004	

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If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.